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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/752,401      | 12/28/2000  | Kenji Yoshioka       | 14183               | 9520             |

23389 7590 03/30/2004

SCULLY SCOTT MURPHY & PRESSER, PC  
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GARDEN CITY, NY 11530

EXAMINER

NGUYEN, DAVID Q

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

2681

7

DATE MAILED: 03/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/752,401

Applicant(s)

KENJI YOSHIOKA

Examiner

David Q Nguyen

Art Unit

2681

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 December 2000.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)                      4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)                      5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2, 5 & 6.                      6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-13 are rejected under 35 U.S.C. 102(e) as being anticipated by Kraft et al. (US Patent Number 6463278).

Regarding claims 1, 6 and 10, Kraft et al disclose a schedule management device, method and a computer readable memory recording a schedule management program to control the computer for execution of schedule management characterized, said schedule management program comprising: one or more call receiving notification means to notify the user that a call from outside is received (see col. 4, lines 3-10), a utilization environment registration means for registration of and reference to the utilization environment schedule for each time zone of said user (see col. 4, lines 46-57 and table 3), a call receiving operation registration means to set each of said utilization environments registered to said utilization environment registration means corresponding to one of said call receiving notification means (see col. 3, lines 38-47), and a call receiving notification execution means which, upon receipt of any call from outside, refers to the current utilization environment of said user registered to said utilization environment registration means and notifies the user of the call receiving using said call receiving notification means

Art Unit: 2681

corresponding to the current utilization environment set in said call receiving operation registration means (see col. 3, lines 38-56).

Regarding claims 2,7 and 11, Kraft et al also disclose wherein said utilization environment registration means registers said utilization environment schedule by the place information indicating where said user is in each of the time zones and said call receiving operation registration means sets every piece of said place information corresponding to one of said call receiving notification means (see abstract and col. 3 line 38 to col. 4, line 67).

Regarding claims 3,8 and 12, Kraft et al also disclose wherein said call receiving notification means comprises notification means to notify the call receiving by at least sounding operation, vibration operation, lighting operation or display operation or arbitrary combination of these functions (see col. 2, lines 57 to col. 4, line 67).

Regarding claims 4,9 and 13, Kraft et al also disclose wherein said utilization environment registration means registers said utilization environment schedule by the place information indicating where said user is in each of the time zones and said call receiving operation registration means sets every piece of said place information corresponding to one of said call receiving notification means and said call receiving notification means comprises notification means to notify the call receiving by at least sounding operation, vibration operation, lighting operation or display operation or arbitrary combination of these functions (see col. 2, lines 57 to col. 4, line 67).

Regarding claim 5, Kraft et al also disclose the device is applied to the handy communication terminal provided with schedule management function (see abstract and col. 3 line 38 to col. 4, line 67).

*Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Q Nguyen whose telephone number is 703-605-4254. The examiner can normally be reached on 8:30AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Erika A Gary can be reached on 703-308-0123. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

  
David Nguyen

  
ERIKA GARY  
PATENT EXAMINER